

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Timothy G. Caudle

Group Art Unit: Not yet assigned**For:** Contoured Pouch With Pourable Spout, and Apparatus and Process for Producing Same**Examiner:** Not yet assigned**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

 Utility Patent Design Patent

is sought on the invention, whose title appears above, the specification of which:

 is attached hereto. was filed on _____ as Serial No. _____ said application having been amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any **foreign application(s)** for patent or inventor's certificate listed below and have also identified below

any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Priority Claimed (If X'd)	Country	Serial Number	Date Filed
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed
_____	_____

I hereby appoint the following persons of the firm of **WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP**, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103 as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Gary H. Levin _____ Reg. No. 28,734 _____

Mitchell R. Brustein _____ Reg. No. 38,394 _____

Address all telephone calls and correspondence to:

Mitchell R. Brustein
WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone No.: (215) 568-3100
Facsimile No.: (215) 568-3439

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<p>Name: Timothy G. Caudle</p>	
<p>Mailing Address: 403 Rockland Drive</p>	<p>Signature</p>
<p>City/State of Actual Residence: Simpsonville, South Carolina 29681</p>	<p>Date of Signature: _____</p>
	<p>Citizenship: <u>United States</u></p>

Docket No.
D-43260-01

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CONTOURED POUCH WITH POURABLE SPOUT, AND APPARATUS AND PROCESS FOR PRODUCING SAME

the specification of which

(check one)

is attached hereto.

was filed on 09/30/99 as United States Application No. or PCT International

Application Number 09/410,353

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

N/A

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

N/A

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

N/A

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Rupert B. Hurley Jr., 29,313

Thomas C. Lagaly, 34,652

Mark B. Quatt, 30,484

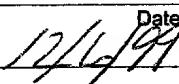
Daniel B. Ruble, 40,794

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Send Correspondence to: **Mark B. Quatt**
Cryovac, Inc.
P. O. Box 464
Duncan, SC 29334

Direct Telephone Calls to: (name and telephone number)

Mark B. Quatt, (864) 233-2817

Full name of sole or first inventor Timothy G. Caudle	Date
Sole or first inventor's signature 	
Residence 403 Rockland Drive, Simpsonville, SC 29681	
Citizenship US	
Post Office Address 403 Rockland Drive, Simpsonville, SC 29681	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

ASSIGNMENT

WHEREAS I, TIMOTHY G. CAUDLE, residing at 403 Rockland Drive, Simpsonville, SC 29681, have made an invention relating to a pouch with pourable spout, apparatus and process, which invention is described in an application for Letters Patent of the United States entitled CONTOURED POUCH WITH POURABLE SPOUT, AND APPARATUS AND PROCESS FOR PRODUCING SAME, and signed by me on this day; and

WHEREAS Cryovac, Inc., a corporation organized and existing under the laws of the State of Delaware and having a place of business at 100 Rogers Bridge Road, Building A, PO Box 464, Duncan, SC 29334, is desirous of acquiring the entire right, title, and interest in and to said invention and in and to any Letters Patent that may be granted therefor;

NOW THEREFORE, in consideration of the sum of Ten Dollars, the receipt of which is hereby acknowledged, I, TIMOTHY G. CAUDLE, by these presents do sell, assign, and transfer to Cryovac, Inc., its successors and assigns the full, exclusive, and world-wide right to the said invention and the entire right, title, and interest in, to, and under any Letters Patent which may be granted therefor in the United States, in the territorial possessions of the United States, and in any country foreign to the United States, the same to be held and enjoyed by the said Cryovac, Inc., its successors and assigns as fully and entirely as the same would have been held by me had this assignment and sale not been made.

And I do hereby authorize and request the Commissioner of Patents of the United States and the Patent Office officials in countries foreign to the United States to issue said Letters Patent to said Cryovac, Inc., as the assigns of my entire right, title, and interest in, to, and under the same, and I hereby further authorize said Cryovac, Inc. to apply for Letters Patent in my name or in its own name, as it in its sole discretion sees fit, utilizing any benefits which may exist under any International Arrangement, in any country foreign to the United States.

And I do hereby agree for myself and for my heirs, executors, and administrators to execute any lawful document and to testify as to any material fact or thing which Cryovac, Inc., its successors and assigns may deem necessary in order to secure unto itself, its successors and assigns the full right, title, and interest in and to and the full enjoyment of said invention or any part therefor and the said Letters Patent or any of them, the same to be done without any further consideration.

IN WITNESS WHEREOF, I hereby set my hand and affix my seal on the date set forth below.

Dated:

12/16/99



TIMOTHY G. CAUDLE